

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

IN RE:

CIRCUIT CITY STORES, INC.
Debtor

CHAPTER 11

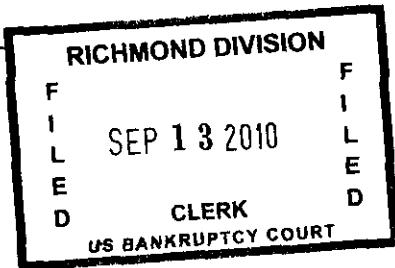
CASE NO. 08-35653

CAROLE KAYLOR

Movant

v.

CIRCUIT CITY STORES, INC.
Respondent



**MOTION TO TERMINATE
AUTOMATIC STAY OF BANKRUPTCY**

TO THE HONORABLE KEVIN R. HUENNEKENIS, BANKRUPTCY JUDGE:

Carole Kaylor moves this Honorable Court to terminate the automatic stay to permit Carole Kaylor to proceed with an action in negligence for damages alleged to have been caused by the Debtor/Respondent and other parties.

1. Respondent filed its Petition for Relief under the provisions of Chapter 11 of Title 11 of the United State Code on November 18, 2008. Upon filing, the automatic stay provisions of Section 362 of the United State Code became effective.
2. The bar date for filing any type of claim was January 30, 2009.
3. Subsequent thereto, on February 6, 2009, Movant sustained a slip and fall injury outside a Circuit City Store in Altoona, Pennsylvania.
4. This matter would be subject to a State Court Action against Debtor in Blair County, Pennsylvania Court of Common Pleas.
5. In any such State Court Action, the Debtor has liability insurance for the claims of the Movant against Debtor.

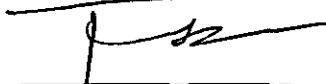
6. Movant understands and agrees that no liability will be imposed against the Debtor in the State Court Action other than payment of damages by the insurance company for the Debtor.

WHEREFORE, Movant respectfully requests that this Court enter an Order terminating the automatic stay of bankruptcy with regard to the State Court Action.

Respectfully submitted,

WAGNER & FINN

By:



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IN RE: : CHAPTER 11
CIRCUIT CITY STORES, INC. :
Debtor : CASE NO. 08-35653

CAROLE KAYLOR :
Movant :
v. :
CIRCUIT CITY STORES, INC. :
Respondent :

**ORDER TERMINATING AUTOMATIC
STAY OF BANKRUPTCY**

AND NOW, this ____ day of September, 2010, upon presentation and consideration of the within Motion, it is hereby Ordered, Directed and Decreed that the Automatic Stay of Bankruptcy, be and is hereby terminated for the pursuit of a State Action in Blair County, Pennsylvania.

BY THE COURT:

Kevin R. Huennekenis, Judge

CERTIFICATE OF SERVICE

I, Thomas Finn, hereby certify that on the 9th day of September, 2010, I caused a true and correct copy of the Motion to Terminate Automatic Stay of Bankruptcy to be served upon the parties listed below via first class mail, postage prepaid:

Daniel Blanks, Esquire
McGuire Woods, LLP
101 West Main Street
9000 World Trade Center
Norfolk, VA 23510

